

25) (Currently Amended) The method of Claim 6 wherein the processing method may occur without the scanner having to scan the image, and ~~wherein~~ the user may select one or more programmed buttons on the scanner to instruct the data read from the media to be directed to a computer program for processing, faxing, archiving, emailing or printing.

### **REMARKS**

#### **Rejections Under USC §112**

The Examiner now rejects the active claims 6, 23-25 on the basis of the term “wherein”.

The claims have again been amended to remove the ambiguity the term may have caused.

#### **Rejections under 35 USC §103**

The Examiner combines new prior art for a new ground of rejection. Having overcome the last seven (7) rejections and their art, apparently this Examiner finds the need to continue pursuing the matter. We understand and appreciate the diligence.

However, combining Murata (6,111,659) and Reiter (4,604,686) simply does not rise to the level of obviousness the Examiner claims.

Regarding Claim 6, Murata does disclose a copier which can accept memory cards. However, the purpose and function of the card reader in Murata is to solely control a print or copy function (Col. 8, Lines 1-65 and Col. 9, Lines 1-65). The data on the card is read and the Murata system searches for the print command, i.e. number of copies, whether the documents are to be sorted, stapled, etc. The data on the card is not scanned, it is read by the Murata software and utilized as a print/copy command only.

Further re Claim 6, in Murata, when a user then takes the memory data card to their computer, the insertion generates a read file on their computer which then launches a user interface which allows only the specification of the print/copy functions (Col. 10, Lines 45-65). This is not analogous to the present invention. In the present invention, the data to be manipulated resides on the memory card and may be manipulated with or without scanning or processing the data utilizing a scan function. The data on the present invention memory card may be images, documents, etc. and is not a read file which specifies a scan or print command.

The Examiner admits that Murata does not teach or disclose an automatic launch of a user interface (computer program application) upon insertion and detection of a memory card. Indeed, Murata does not.

Further to Claim 6, the Examiner states that Murata's processing method is accomplished by insertion of media into "one of two card reader slots". Murata claims one slot whereas the present invention discloses two. That aside, Murata's "processing" is again limited to the read file containing print or copy commands.

The Examiner combines Reiter '686 with Murata and states that "image data is processed automatically without requiring user intervention", and bases this on two Figures. Figures 1 and 2 of Reiter show flow charts which indicate nothing about processing image data without user intervention. Further, Reiter uses the code PASCAL to accomplish its data processing, a code which is so outdated that it is rarely used, and certainly not used in the present invention. However, to delve deeper into Reiter to determine what the Examiner is thinking, we shall look at Col. 8, Lines 5-35. Reiter explains Fig. 1 as depicting "communication links, wherein these communication links preferably comprise an auto-dial modem", and the process proceeds with the Reiter method seeking a telephone number for its system to automatically dial. This has absolutely nothing to do with an automatic launch of a user interface to direct the outcome of data from a

memory card. Combining this patent with Murata to form an obviousness rejection borders on negligence of the Examiner. After seven previous rejections, it is the opinion of this Agent that the Examiner simply wants to finally reject this Application and “prevail”.

Referring to Claims 23 and 24, the Examiner first states that Murata fails to disclose the image data being processed automatically without requiring user intervention. The Examiner later states in this same Office Action, that Murata does perform this function. Murata does not. The Examiner also omits the additional embodiment in the present invention that after a user inserts a memory device, a user interface may automatically display giving the user additional options. The user does not have to do anything to make this occur except insert the media card. Murata does not disclose such a method, nor does Reiter.

Regarding Claims 23 and 24, Reiter absolutely does not teach image data being processed without requiring user intervention. This is blatantly false and irresponsible for the Examiner to have used this art and stated it disclosed that which it clearly does not.

We will now simply copy the abstract from Reiter to illustrate that it has nothing to do with the present invention:

(Reiter Abstract) An input/output driver program residing in digital computer apparatus responsive to Pascal type of software and which operates to emulate an asynchronous terminal, as opposed to bisynchronous devices having defined protocols, in a distributed processing environment. The computer thus programmed is adapted to communicate with any data processor supporting external communications with other apparatus and operates as an intelligent interface between one or more user terminals and one or more data processors, of different vendor types. A user at a user terminal communicates a specific request to the interface of the subject invention which in turn automatically

executes a series of Pascal computer programs, called modules, in response to a plurality of data files, called an Information Directory. These files contain all the information required to seek out, couple to and query certain predetermined data bases for specific information in their own respective logons, protocols, etc., retrieve the required information, operate on and reformat the information received in diverse forms into a consolidated file, and report the information thus integrated to the user in a user friendly form.

It is beyond this Agent to comprehend why this patent was used in combination with Murata to form an obviousness rejection, and even more egregious, using only two Figures which do not discuss automatic data processing upon insertion of a memory card or any other automatic data processing which does not require user intervention.

The multiple rejections, all of which have been overcome, are starting to appear to the Applicant as punitive. With the amended claims and the remarks herein, Applicant believes that after this eighth rejection, and the failure of the Examiner to successfully combine references for rejections, this Application now stands in allowable form and continued examination is respectfully requested.

Respectfully submitted,

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Date

## Claims Marked

- 1) (Cancelled)
- 2) (Withdrawn) An image acquisition apparatus connected to at least one USB equipped computer, comprising: a) one or more digital card reader slots to accept transmittal means for inputting image data into a control circuit within said apparatus; b) transmittal means for sending said image data from said control circuit through the USB system of said computer from one or more digital card reader slots; c) interface means for said control circuit to receive instructions from, and send data to, control software on said computer;
- 3) (Withdrawn) An apparatus as in claim 2, further comprising simple control means for directing complex operations of said control circuit and said control software directly from the outside of said apparatus, said means comprising: a) at least one button a series of buttons on said apparatus wherein said button buttons have a function determined by said control software indicating that button to direct a scanned image to result in a fax, email, print job or archive command; b) an interface for said button to direct said control circuit and said control software.
- 4) (Withdrawn) An apparatus as in claim 3, wherein said image input means further comprising a flatbed scanner, said scanner containing one or more digital card reader slots which may accommodate at least one of a Compact Memory card reader, a Smart Media card reader, a PC or PCMCIA card reader, a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and an IBM Microdrive reader.
- 5) (Cancelled)
- 6) (Twice Amended) An image processing method in an image acquisition apparatus connected to at least one USB equipped computer, comprising: a) an image input step for inputting image data into a control circuit within said apparatus; b) a transmittal step for sending said image data from said control circuit through the USB system of said computer; c) an interface step for said control circuit to receive instructions from, and send data to, control software on said computer upon detection of the insertion of the appropriate media into at least one of a Compact Flash Memory card reader, a Smart Media card reader, a PC or PCMCIA Card

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reader, a Memory Stick reader, a Multi Media card reader, a Secure Digital card reader, and a IBM Microdrive reader, whereupon in response to insertion and detection thereof, the inventive software automatically launches a user interface (computer program application) ~~upon insertion and detection thereof~~, with or without the scanner actually scanning an image, and directs the scanned data to a pre-selected application as initially specified by the user wherein said application launches and proceeds with data processing without requiring the user to intercede.

7) (Withdrawn) A method as in claim 3, further comprising simple control steps for optional directing complex operations of said control circuit and said control software directly from the outside of said apparatus, said steps comprising: a) providing at least one button on said apparatus wherein said button has a function determined by said control software; b) providing an interface for said button to direct said control circuit and said control software.

8) (Withdrawn) A method as in claim 7, wherein said image input step further comprises providing a scanner, said scanner comprising: a) a transparent platform for placing items to be scanned, said items comprising photographs, documents, or drawings, and said platform having rectangular dimensions; b) optical scanning hardware for scanning images of said items, wherein said hardware includes a scanning module slidably installed inside said housing, said scanning module being approximately as wide as one of the dimensions of said transparent platform, said scanning module comprising: i) a mechanism and assembly for moving said module along one of the axes of said transparent platform; ii) a bottom light source for emitting light towards said items, iii) an image converter for converting said image of the item into a digital image. c) a closeable top with dimensions slightly larger than the dimensions of said transparent platform, hingedly attached to said housing so that said top covers said transparent platform when closed.

9) (Withdrawn) A method comprising: a) persistently monitoring any monitorable input means of an image acquisition apparatus; b) determining whether said input means have image-containing media therein; c) determining the quantity of image data files in said media; d) selecting at least one image data file from said media; e) transmitting said at least one image data file from said image acquisition apparatus to a computer; f) providing said image data file to a consumer-selected computer application.

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10) (Withdrawn) A method as in claim 9 further comprising: a) persistently monitoring any buttons on said image acquisition apparatus; b) determining whether any said buttons have been pressed; c) selecting the appropriate consumer-selected computer application to which to provide said image data based on the predefined functions of said buttons.

11) (Withdrawn) A method as in claim 10 further comprising: a) determining whether there is a scanner associated with said image acquisition apparatus; b) selecting a set of scanning criteria as chosen by the consumer; and c) scanning an item on the transparent platform of said scanner at said selected set of scanning criteria where there is no media card in said input means.

12) (Withdrawn) A method as in claim 11 wherein said consumer-selected computer application is selected from an application to transfer said image data files to an Internet-based professional photograph printing company, an application that launches said consumer's e-mail program and attaches said image data files to an e-mail created by said e-mail program, an application that launches said consumer's fax program and prepares a fax with said image in said fax for said consumer to address, an application to open a printer selection menu to allow said consumer to print said image on a selected printer, an application that archives said image data files in a convenient manner, and an application that presents the image data file to any other application on said consumer's computer for said any other application to use as an input into said any other application.

13) (Withdrawn) A method as in claim 12 wherein said consumer can selectively configure said computer application choices.

14) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets that, when executed, direct a computer to: a) persistently monitor any monitorable input means of an image acquisition apparatus; b) determine whether said input means have image-containing media therein; c) determine the quantity of image data files in said media; d) select at least one image data file from said media; e) transmit said at least one image



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data file from said image acquisition apparatus to a computer; f) provide said image data file to a consumer-selected computer application.

15) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 14 that, when executed, direct a computer to: a) persistently monitor any buttons on said image acquisition apparatus; b) determine whether any said buttons have been pressed; c) select the appropriate consumer-selected computer application to which to provide said image data based on the predefined functions of said buttons.

16) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 15 that, when executed, direct a computer to: a) determine whether there is a scanner associated with said image acquisition apparatus; b) select a set of scanning criteria as chosen by the consumer; and c) scan an item on the transparent platform of said scanner at said selected set of scanning criteria where there is no media card in said input means.

17) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 13 that, when executed, direct a computer to: a) launch an application that allows the consumer to customize which applications are launched with which parameters at the press of which buttons on said image acquisition apparatus.

18) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 14 wherein: a) said persistent monitoring occurs in a process boundary with the kernel driver, low level driver, and high level user interface; b) said program launching application runs in a process separated from said persistent monitoring process; and c) said applications launched by said program launching applications run in their own processes.

19) (Withdrawn) Computer-readable media comprising one or more computer-executable instruction sets as in claim 17 wherein: a) said persistent monitoring occurs in a process boundary with the kernel driver, low level driver, and high level user interface; b) said program launching application runs in a process separated from said persistent monitoring process; c) said applications launched by said program launching applications run in their own processes; and d)

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said button configuration application runs in its own process, separate from said persistent monitoring process.

20) (Cancelled)

21) (Cancelled)

22) (Cancelled)

23) (Twice Amended) The method of Claim 6, wherein the processing method is accomplished by insertion of any of said media into one of two card reader slots contained within a flatbed scanner ~~wherein~~ and the data read from said media is processed without requiring the scanner to scan the image, and the image data is processed automatically as in Claim 6 without requiring user intervention.

24) (Twice Amended) The method of Claim 6 wherein the processing method may be initiated solely upon insertion of any of said media, ~~wherein~~ and the data read from said media is processed without requiring the scanner to scan the image, and whereupon a user interface is automatically launched on said connected computer without further steps by a user; said user interface providing one or more options for further processing of data obtained from said media.

25) (Currently Amended) The method of Claim 6 wherein the processing method may occur without the scanner having to scan the image, and ~~wherein~~ the user may select one or more programmed buttons on the scanner to instruct the data read from the media to be directed to a computer program for processing, faxing, archiving, emailing or printing.